

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEW MEXICO

SOLOMON PENA,
PLAINTIFF,

U.S. DISTRICT COURT
DISTRICT OF NEW MEXICO
2015 APR 10 PM 2:58

CLERK LAS CRUCES

VS.

1:15-cv-00230 LH-WPL

THE GEO GROUP, INC., et al.,
DEFENDANTS.

MEMO IN OPPOSITION TO THE DEFENDANTS ANSWER TO THE
PLAINTIFFS CIVIL RIGHTS VIOLATION PETITION

"COMES NOW THE PRO SE PLAINTIFF, SOLOMON PENA, AND HE WISHES TO ENTER INTO THE RECORD THIS MEMO IN OPPOSITION TO THE ANSWER THE DEFENDANTS FILED ON 19 MAR 2015.

2. THE ANSWER IN PARAGRAPH 1 IS DULY NOTED.
3. THE ANSWER IN PARAGRAPH 2 IS DULY NOTED.
4. THE ANSWER IN PARAGRAPH 3 IS DULY NOTED.
5. THE ANSWER IN PARAGRAPH 4 IS DULY NOTED.
6. THE ANSWER IN PARAGRAPH 5 IS DULY NOTED.
7. THE ANSWER IN PARAGRAPH 6 IS DULY NOTED.
8. THE ANSWER IN PARAGRAPH 7 IS DULY NOTED.
9. THE ANSWER IN PARAGRAPH 8 IS DULY NOTED.
10. THE ANSWER IN PARAGRAPH 9 IS DULY NOTED.
11. THE ANSWER IN PARAGRAPH 10 IS DULY NOTED.
12. CONCERNING THE ANSWER IN PARAGRAPHS 11-12: THE ANSWER IS DULY NOTED. HOWEVER, THE PLAINTIFF IS UNAWARE ~~THAT~~ WHY THE DEFENDANT TYPED THAT ANSWER, THE DEFENDANTS HAVE CONTROL OVER THE PLAINTIFFS

'INMATE FILE' AND ALL THE PLAINTIFF'S WORK HISTORY AND PRISON HOUSING HISTORY IS IN HIS FILE.

13. THE ANSWER IN PARAGRAPH 13 IS DULY NOTED.

14. THE PLAINTIFF ASSERTS HIS COMPLAINT IS TRUE. WHILE PLAINTIFF WAS IN 'ORIENTATION' AT THE LEA COUNTY CORRECTIONAL FACILITY (HEREINAFTER "LCCF") HE SUBMITTED AN APPLICATION TO WORK KITCHEN GRAVEYARD BY GIVING IT TO THE CORRECTIONS OFFICER (HEREINAFTER "C.O.") THROUGH HIS CELL DOOR. ORIENTATION PRISONERS CAN ONLY SEND OUT MAIL THIS WAY BECAUSE THEY ARE LOCKED IN THEIR CELLS. THIS IS CONCERNING THE ANSWER IN PARAGRAPH 14.

15. CONCERNING THE ANSWER IN PARAGRAPH 15. THE CAMERA INSIDE OF LCCF 3 A WILL SHOW THE PLAINTIFF GO UP TO 'THE CIRCLE' AND HAND A SINGLE SHEET OF PAPER TO THE INMATE EMPLOYMENT COORDINATOR. THE CAMERAS THAT ARE IN THE H-3 CORRIDOR WILL SHOW THE INMATE EMPLOYMENT COORDINATOR GO IN AND OUT OF H-3.

16. 'THE CIRCLE' IS A CIRCULAR HOLE IN THE WALLS OF ALL OF THE PODS SO STUFF AND SOUND CAN GO IN AND OUT.

17. THE ANSWER LISTED IN PARAGRAPH 16 IS DULY NOTED. "DEFENDANTS DENY PLAINTIFF HAD SUBMITTED TWO PRIOR APPLICATIONS AS ALLEGED IN PARAGRAPH 16 OF PLAINTIFF'S COMPLAINT." THIS IS FALSE INFORMATION, THE PLAINTIFF SUBMITTED A TOTAL OF THREE APPLICATIONS.

18. THE ANSWER IN PARAGRAPH 17 IS DULY NOTED.

19. THE ANSWER IN PARAGRAPH 18 IS DULY NOTED.

20. IN REFERENCE TO PARAGRAPH 19 OF THE DEFENDANTS ANSWER: "DEFENDANTS DENY THAT DEFENDANT ELIZONDO REFUSED TO HEAR THE INFORMAL COMPLAINT." DEFENDANT ELIZONDO REFUSED TO HEAR THE INFORMAL COMPLAINT BECAUSE SHE WROTE "REJECTED - CLASSIFICATION ISSUE" ^{ON IT} AND MAILED IT BACK TO THE PLAINTIFF.

21. THE ANSWER IN PARAGRAPH 20 IS DULY NOTED.

22. IN REFERENCE TO PARAGRAPH 21 OF THE DEFENDANTS ANSWER: THE ACT OF DEFENDANT ELIZONDO WRITING "REJECTED-CLASSIFICATION ISSUE NOT A GRIEVABLE ISSUE" ON THE INFORMAL COMPLAINT AND MAILING IT BACK TO THE PLAINTIFF IS HER REFUSING TO HEAR IT.

23. THE ANSWER IN PARAGRAPH 22 IS DULY NOTED.

24. THE ANSWER IN PARAGRAPH 23 IS DULY NOTED.

25. THE ANSWER IN PARAGRAPH 24 IS DULY NOTED.

26. THE ANSWER IN PARAGRAPH 25 IS DULY NOTED.

27. THE ANSWER IN PARAGRAPH 26 IS DULY NOTED.

28. THE ANSWER IN PARAGRAPH 27 IS DULY NOTED.

29. THE ANSWER IN PARAGRAPH 28 IS DULY NOTED.

30. IN REFERENCE TO PARAGRAPHS 30 AND 31 OF THE DEFENDANTS ANSWER: AND 29: THE DEFENDANTS DENIAL THAT THESE ACTS HAPPENED IS COMPLETELY FALSE AND AN ALL OUT ASSAULT ON THE TRUTH SEEKING PROCESS.

31. DEFENDANT BEAIRD DID NOT JUST YELL THE WORDS "CAUSE YOU'LL COMPLAIN," HE WAS SO ANGRY HE THRUST HIS TORSO FORWARD AT THE PLAINTIFF PARTIALLY COMING OUT OF HIS SEAT (HE WAS SEATED.)

32. ON THAT DATE, 2014 OCT 03, THE CAMERA WILL SHOW THE PLAINTIFF GO INTO BEAIRD'S OFFICE AND THEN COME OUT APPROX 25 MINUTES LATER. AS STATED IN PARAGRAPH 29 OF THE COMPLAINT, DEFENDANT BEAIRD CALLED THE PLAINTIFF INTO HIS OFFICE TO SPEAK WITH PLAINTIFF ABOUT SEVERAL INFORMAL COMPLAINTS PLAINTIFF HAD FILED. IT WAS 09. THEY ARE BEING INCLUDED IN THIS FILING AS EXHIBIT 1 AS A MEANS OF PROVING THE PLAINTIFF SPOKE IN PERSON WITH DEFENDANT BEAIRD ON 2014 OCT ^{7.}~~09~~ 03
(17 PAGES)

33. THE ANSWER IN PARAGRAPH 32 IS DULY NOTED.

34. THE ANSWER ^{9.}~~TO~~ IN PARAGRAPHS 33-41 IS DULY NOTED.

35. THE ANSWER IN PARAGRAPH 42 IS DULY NOTED.

36. IN REFERENCE TO THE ANSWER IN PARAGRAPH 43. THE REJECT-
AND THE UNANSWERED
ED INFORMAL COMPLAINTS IN THE COMPLAINT IS ENOUGH TO SATISFY THE EX-

EXHAUSTION REQUIREMENT.

37. THE ANSWERS IN PARAGRAPHS 44-47 ARE DULY NOTED.

38. RESPONSE TO AFFIRMATIVE DEFENSE (HEREINAFTER "AFF DEF") # 1:

FIRST AMEND RETALIATION WAS CLEARLY ALLEGED IN THE COMPLAINT, AS WAS DUE PROCESS VIOLATIONS. PLAINTIFF ALSO ALLEGED THAT THE DEFENDANTS WERE ACTING UNDER COLOR OF STATE LAW. ("A ~~CLAIM~~⁹ COMPLAINT IS SUBJECT TO DISMISSAL FOR FAILURE TO STATE A CLAIM IF THE ALLEGATIONS, TAKEN AS TRUE, SHOW THE PLAINTIFF IS NOT ENTITLED TO RELIEF.") JONES V. BLOCK, 127 S. CT. 910 (U.S. JAN 22, 2007)

39. RESPONSE TO AFF DEF # 2: THE PRISON LITIGATION REFORM ACT - TITLE 42 USC §1997e" (HEREINAFTER "PLRA") EXHAUSTION REQUIREMENT WAS MET, THE PLAINTIFF INITIATED THE GRIEVANCE PROCESS THAT ^{THE} NEW MEXICO CORRECTIONS DEPARTMENT ~~PROV~~⁹ (HEREINAFTER "NMCD") PROVIDES. DEFENDANT ELIZONDO REFUSED TO HEAR THE INFORMAL COMPLAINTS THAT THE PLAINTIFF FILED. (EXHIBITS 3 AND 4 OF THE COMPLAINT.)

40. EXHIBIT 5 OF THE COMPLAINT WAS ACCEPTED AND FILED BY A GEO EMPLOYEE THAT IS NOT LIZA ELIZONDO, LOOK AT THE SERIAL # HANDWRITING (1408125), IT IS NOT LIZA ELIZONDO'S HANDWRITING. BECAUSE THE INFORMAL COMPLAINT WAS AGAINST L. ELIZONDO, NMCD POLICY DOES NOT PERMIT HER TO PROCESS IT. BECAUSE LCCF DID NOT ANSWER IT, IT EXHAUSTED 90 WORKING DAYS FROM ITS FILING (PER 150500 INMATE GRIEVANCES).

41. RESPONSE TO AFF DEF # 3: THE GEO GROUP, INC. IS RESPONSIBLE AND LIABLE FOR ALL OF ITS EMPLOYEE'S ACTIONS.

42. RESPONSE TO AFF DEF # 4: PLAINTIFF FULFILLED THE STATE LAW EXHAUSTION REQUIREMENT OF 33-2-11 NMSA 1978 THE SAME WAY PLRA'S EXHAUSTION REQUIREMENT IS LISTED IN PARAGRAPHS 39-40 OF THIS PLEADING.

43. THIS AFF DEF (# 5) IS TRUE. HOWEVER, AT THIS POINT PLRA

IS SATISFIED.

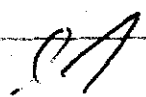
44. RESPONSE TO AFF DEF #6: THE AFF DEF IS FALSE. THE DEFENDANT'S INTENTIONAL ACTS CAUSED THE PLAINTIFF'S RIGHTS TO BE VIOLATED.

45. RESPONSE TO AFF DEF #7: THIS AFF DEF IS NOT TRUE. THE DEFENDANT'S DID THE ACTS LISTED IN THE COMPLAINT IN RETALIATION FOR THE VERY FIRM AND COMPLETELY LEGAL ^ASSERTION OF THE PLAINTIFF'S CONSTITUTIONAL RIGHTS, PRIVILEGES AND IMMUNITIES. REFUSING TO LET THE PLAINTIFF USE THE GRIEVANCE PROCESS AND NOT ANSWERING HIS INFORMAL COMPLAINT IS NOT GOOD FAITH. NOT LETTING THE PLAINTIFF WORK KITCHEN GRAVEYARD BECAUSE HE EXERCISES HIS RIGHTS IS NOT GOOD FAITH. NOT KEEPING ONE'S EMPLOYEES IN CHECK IS NOT GOOD FAITH.

46. THE PLAINTIFF DAILY HAS TO DEAL WITH THE RETALIATORY ACTS THE DEFENDANTS DO TO ~~TH~~ HIM. DEFENDANTS WILL NOT LET HIM GO TO COLLEGE — — HOUSING PLACEMENT, ROOM MOVES, ETC, THE DEFENDANTS WILL NOT HELP THE PLAINTIFF WITH ANYTHING. THEY GET THEIR FAVOR-ED PRISONERS TO CARRY OUT RETALIATORY ACTS AGAINST THE PLAINTIFF. THE RETALIATION GOES MUCH FURTHER THAN WHAT IS STATED IN THE CAUSE OF ACTION. THEY TRY TO MANIPULATE THE OTHER PRISONERS INTO PHYSICALLY "BEATING UP" THE PLAINTIFF.

47. AFF DEF # 8, RESPONSE: DULY NOTED.

48. THE PLAINTIFF HAS HAD TO ACTUALLY ENGAGE IN HAND TO HAND COMBAT WITH PRISONERS WHO WERE MANIPULATED INTO ATTACKING THE PLAINTIFF.




SOLOMON PENA, 2015 APRIL 06
6900 W. MILLEN DR.
HOBBS, N.M. 88244

CERTIFICATE OF SERVICE

ON LISTED DATE THE FOREGOING PLEADING WAS MAILED TO
THE LISTED PARTIES IN ACCORDANCE WITH 12-307.

• APRIL D. WHITE, Esq.
4908 ALAMEDA BLVD. N.E.
ALB., N.M. 87113-1736

• FEDERAL DISTRICT COURT
ATTN: 1:15-CV-00230
100 NORTH CROCH STREET.
LAS CRUCES, N.M. 88001
SUITE # UNKNOWN.
ATTN: OFFICE OF THE CLERK.



SOLOMON PENA. 2015 APRIL 06

NEW MEXICO CORRECTIONS DEPARTMENT

INMATE INFORMAL COMPLAINT# 141014

Inmate Name: SOLOMON PENA NMCD#: 70190
 Facility: LCCF HU/Cell #: 3A 213 Date of Incident: 2014 SEP 26
 Name of subject or person to whom the complaint was filed against: Dr. Soto

Explain your complaint in detail: ON LISTED DATE AT APPROX 0335 HRS LISTED OFFICER REFUSED TO LET ME GO TO THE BATHROOM, I WAS IN S-32, THE TOILET IS INSIDE OF P-13. I TRIED GOING IN, LISTED OFFICER COMMANDED ME TO NOT GO IN. I TOLD LISTED OFFICER I NEEDED TO GO - SEE ATTACHED
 Inmate Signature: [Signature] Date: 2014 SEP 26

.....
 Date Received: 10-03-14 Unit Manager/Chief of Security/Designee

I, J.W. Beard, AWS have reviewed the above informal complaint and
 Unit Manager/Chief of Security/Designee
 Recommend: ☒ Resolution ☐ Recommend formal grievance

Explain: After speaking to Mr. Soto, he claimed he instructed Pena to leave a seat in the P-13/P-15 waiting area because he was in the PIC hallway. Once Soto entered the P-13/P-15 waiting area he allowed Pena to use the P-13 restroom. Soto claimed that may have waited 10 minutes.
 Staff Member: [Signature] AWS, J.W. Beard Date: 10-03-14
 Print / Sign

Acknowledged by the signatures below, this informal complaint is: ☐ Resolved ☒ Unresolved
 Unit Mgr/Chief of Security/Designee: [Signature] J.W. Beard Date: 10-03-14
 Print / Sign
 Staff Witness: [Signature] Date: 10-3-14
 Print / Sign
 Inmate: SOLOMON PENA. 70190 Date: 03 OCT 2014
 Print / Sign

If this informal complaint could not be resolved, the inmate may pursue a formal grievance within 20 calendar days of the date of incident.

At time of resolution-the inmate must be given a copy of the completed copy of the Informal Complaint

Inmate must attach this document if the formal grievance is to be submitted.

EXHIBIT 1

001

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02 OF 02. INFORMAL

NATE, AND I CONTINUED TO TRY TO GO IN. HE ASSERTED HIS COMMAND FOR ME TO SIT ON THE BENCH IN S-SZ. I EXECUTED THE COMMAND,

APPROX TEN MINUTES LATER A LIEUTENANT CAME INTO S-SZ AND SPOKE WITH LISTED OFFICER. I ASKED LISTED OFFICER IN FRONT OF THE LIEUTENANT IF I COULD USE THE TOILET. LISTED OFFICER THEN PERMITTED ME TO USE THE TOILET.

CD. 150101. PROCEDURES. A1. WAS VIOLATED. "INMATES SHALL BE PROTECTED FROM... PUNITIVE INTERFERENCE WITH THE DAILY FUNCTIONS OF LIVING..."

HE CANT STOP ME FROM URINATING.

JA

SOLOMON PENA. 70190.

3A 213.

2014 SEP 26

Form CD-150501.3
Revised 03/11/14 Page 1

NEW MEXICO CORRECTIONS DEPARTMENT

INMATE INFORMAL COMPLAINT# 141017Inmate Name: SOLOMON PENA NMCD#: 70190Facility: LCCF HU/Cell #: 3A 213 Date of Incident: 2014 SEP 24Name of subject or person to whom the complaint was filed against: J. WRIGLEY

Explain your complaint in detail: I'M BEING FORCED TO PERFORM STRENUOUS PHYSICAL LABOR FOR HOURS ON 3,000 CALORIES PER DAY. MY CIVIL RIGHTS ARE BEING VIOLATED. IT'S AN EQUAL PROTECTION VIOLATION UNDER THE N.M. CONST. AND U.S. CONST TO GIVE PRISONERS WHO SIT AROUND ALL DAY 3,000 CALORIES

Inmate Signature: [Signature] Date: 2014 SEP 24Date Received: 10-03-14 Unit Manager/Chief of Security/Designee

I, J.W. Beaird, AWS have reviewed the above informal complaint and
Unit Manager/Chief of Security/Designee
 Recommend: ☒ Resolution ☐ Recommend formal grievance

Explain: We are required to give you 3000 calories per day. All inmates receive the 3000 calories require no matter what job duties an inmate is assigned.

Staff Member: J.W. Beaird [Signature] Date: 10-03-14
Print / Sign

Acknowledged by the signatures below, this informal complaint is: ☒ Resolved ☐ Unresolved

Unit Mgr/Chief of Security/Designee: J.W. Beaird [Signature] Date: 10-03-14
Print / Sign

Staff Witness: [Signature] Date: 10-3-14
Print / Sign

Inmate: SOLOMON PENA 70190 [Signature] Date: 2014 OCT 03
Print / Sign

If this informal complaint could not be resolved, the inmate may pursue a formal grievance within 20 calendar days of the date of incident.

At time of resolution-the inmate must be given a copy of the completed copy of the Informal Complaint

Inmate must attach this document if the formal grievance is to be submitted.

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 LCCF

INFORMAL 2 OF 2.

AND A PRISONER (ME) WHO PERFORMS STRENUOUS PHYSICAL LABOR ALL DAY
3,000 CALORIES.

THE RELIEF REQUESTED IS TO HAVE MY INTAKE INCREASED.

THE LIBRARY CLERKS, THE INMATE EMPLOYMENT CLERKS AND THE T.C.
PATIENTS GET TO SIT AROUND ALL DAY. I'M SCRUBBING THE FLOOR ON MY HANDS
AND KNEE'S. CHECK THE CAMERA'S. SPEAK WITH MY BOSSES HEREDIA AND OR MAL-
DONADO. TO CONFIRM MY DUTIES.



SOLOMON PENA. 70190

3A 213. 2014 SEP 24

~~ERNEST TRUJILLO 49346.~~

NEW MEXICO CORRECTIONS DEPARTMENT

INMATE INFORMAL COMPLAINT# 141011Inmate Name: SOLOMON PENA NMCD#: 70190Facility: LCCF HU/Cell #: 3A 213 Date of Incident: 2014 SEP 29Name of subject or person to whom the complaint was filed against: WIZGLEY; HEREDIA.

Explain your complaint in detail: THE RELIEF REQUESTED IN THIS INFORMAL IS TO BE MOVED TO GRAVEYARD CAPTAINS CREW, FOR THE REASONS STATED HERE:
 * THERE IS SO MUCH TRAFFIC TRAFFIC DURING THE DAY THAT LITTLE GETS DONE. P.C. MOVEMENT SLOWS MY WORK. G.P. MOVEMENT, WHEN REC

Inmate Signature: SA Date: 2014 SEP 29.Date Received: 10-03-14 Unit Manager/Chief of Security/DesigneeI, J.W. Beard, AWS have reviewed the above informal complaint and
Unit Manager/Chief of Security/Designee

Recommend: () Resolution () Recommend formal grievance

Explain: Inmate will be removed from the Captains Crew.RECEIVED
OCT 3 2014
LCCFStaff Member: J.W. Beard, AWS Date: 10-03-14
Print / SignAcknowledged by the signatures below, this informal complaint is: ☒ Resolved ☐ UnresolvedUnit Mgr/Chief of Security/Designee: J.W. Beard, AWS Date: 10-03-14
Print / SignStaff Witness: Gora Date: 10-3-14
Print / SignInmate: SOLOMON PENA. 70190 Date: 03 OCT 2014
Print / Sign

If this informal complaint could not be resolved, the inmate may pursue a formal grievance within 20 calendar days of the date of incident.

At time of resolution-the inmate must be given a copy of the completed copy of the Informal Complaint

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Inmate must attach this document if the formal grievance is to be submitted.

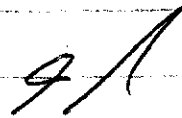
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2 OF 2. INFORMAL COMPLAINT

OR SCHOOL IS BEING TURNED OUT OR IN. I DON'T EVEN TRY
SCRUBBING. I JUST STAND THERE AND DO NOTHING UNTIL THE
MOVEMENT IS FINISHED BECAUSE THE VOLUME OF PRISONERS
GOING BY. I'M IN THEIR WAY AND THEY END UP KICKING OVER MY
BOTTLE, NOT INTENTIONALLY. (10-35)
MAINTENANCE MOVEMENT, AND EXIGENT CIRCUMSTANCES ALSO IN-
HIBIT THE PERFORMANCE OF MY DUTIES.

IT JUST MAKES MORE SENSE AND IS MORE EFFICIENT TO HA-
VE ME DOING IT AT GRAVEYARD.



SOLOMON PENA. 70190.

3A Z13. 2014 SEP 29.

NEW MEXICO CORRECTIONS DEPARTMENT

INMATE INFORMAL COMPLAINT# 141018Inmate Name: SOLOMON PENA NMCD#: 70190Facility: LCCF HU/Cell #: 3A 213 Date of Incident: 2014 SEP 25Name of subject or person to whom the complaint was filed against: HEREDIA. WRIGLEY.

Explain your complaint in detail: WHAT IS THE PROCEDURE FOR ME TO REPORT TO MY PLACE OF DUTY? WHO IS MY POINT OF CONTACT? WHAT LOCATION INSIDE OF LCCF DO I REPORT TO? WHAT IS THE NAME OF THE LCCF EMPLOYEE THAT I REPORT TO? IF I ARRIVE AT MY PLACE OF DUTY AND IT IS LOCKED AND NO ONE IS THERE, WHAT DO I DO?

Inmate Signature: [Signature] Date: 2014 SEP 25

.....
Date Received: 10-03-14 Unit Manager/Chief of Security/Designee

I, J.W. Beard have reviewed the above informal complaint and
Unit Manager/Chief of Security/Designee

Recommend: ☒ Resolution ☐ Recommend formal grievance

Explain: I'm reports to Capt. M. Heredia.
I'm will be removed from the Captains
Crew.

Staff Member: J.W. Beard, [Signature] Date: 10-03-14
Print / Sign

Acknowledged by the signatures below, this informal complaint is: ☐ Resolved ☐ Unresolved

Unit Mgr/Chief of Security/Designee: J.W. Beard [Signature] Date: 10-03-14
Print / Sign

Staff Witness: [Signature] Date: 10-3-14
Print / Sign

Inmate: SOLOMON PENA. 70190 Date: 2014 OCT 03
Print / Sign

If this informal complaint could not be resolved, the inmate may pursue a formal grievance within 20 calendar days of the date of incident.

At time of resolution-the inmate must be given a copy of the completed copy of the Informal Complaint

Inmate must attach this document if the formal grievance is to be submitted.

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LCCF

NEW MEXICO CORRECTIONS DEPARTMENT

INMATE INFORMAL COMPLAINT

141009

Inmate Name: SOLOMON PENA NMCD#: 70190
 Facility: LCCF HU/Cell #: 3A 213 Date of Incident: 2014 SEP 29
 Name of subject or person to whom the complaint was filed against: WRIGLEY; HEREDIA.

Explain your complaint in detail: I'VE BEEN PLACED ON CAPTAINS CREW IN RETALIATION FOR THE FIRM ASSERTION OF MY CONSTITUTIONAL RIGHTS, PRIVILEGES AND IMMUNITIES. I DID NOT PUT IN AN APPLICATION TO WORK CAPTAINS CREW, THE INMATE EMPLOYMENT COORDINATOR JUST CAME TO ME ONE DAY

Inmate Signature: [Signature] Date: 2014 SEP 29.

Unit Manager/Chief of Security/Designee
 Date Received: 10-03-14

I, J.W. Beard have reviewed the above informal complaint and
 Unit Manager/Chief of Security/Designee

Recommend: ☒ Resolution ☐ Recommend formal grievance

Explain: I'm was assigned to the Captains Crew because he had an interest in doing something other than food porter. He is dissatisfied being assigned to Captains Crew and therefore, is being removed this way not done in retaliation of anything.
 Staff Member: J.W. Beard Date: 10-03-14

Print / Sign

Acknowledged by the signatures below, this informal complaint is: ☒ Resolved ☐ Unresolved

Unit Mgr/Chief of Security/Designee: J.W. Beard Date: 10-03-14
 Print / Sign

Staff Witness: [Signature] Date: 10-3-14
 Print / Sign

Inmate: SOLOMON PENA. 70190 Date: 2014 OCT 03
 Print / Sign

If this informal complaint could not be resolved, the inmate may pursue a formal grievance within 20 calendar days of the date of incident.

At time of resolution-the inmate must be given a copy of the completed copy of the Informal Complaint

Inmate must attach this document if the formal grievance is to be submitted.

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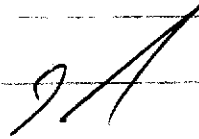
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2 OF 2. INFORMAL COMPLAINT

AND SERVED ME A CHRONO STATING I WAS ON CAPTAINS
CREW. I DID NOT ASK TO BE PUT ON THE JOB.

EXHAUST ALL ADMINISTRATIVE REMEDIES IN ACCORDANCE WITH
33-Z-11 AND PLRA.



SOLOMON PENA. 70190.

3A 213. 2014 SEP 29.

NEW MEXICO CORRECTIONS DEPARTMENT

INMATE INFORMAL COMPLAINT

141012Inmate Name: SOLOMON PENA NMCD#: 70190Facility: LCCF HU/Cell #: 3A 213 Date of Incident: 2014 SEP 25Name of subject or person to whom the complaint was filed against: WRIGLEY AND HEREDIA.

Explain your complaint in detail: ON LISTED DATE I WAS PERFORMING MY DUTIES THAT I AM ASSIGNED. I HAVE TO SCRUB THE CRACKS ON THE FLOOR WHERE IT MEETS THE WALL WITH CHEMICALS. MY GLOVES THAT I GET ISSUED DON'T STAY IN ONE PIECE. I HAVE TO SCRUB HARD. THE GLOVES TEAR AND THE CHEMICALS RUB INTO
SEE ATTACHED

Inmate Signature: [Signature] Date: 2014 SEP 25.Date Received: 10-03-14 Unit Manager/Chief of Security/DesigneeI, J.W. Beard have reviewed the above informal complaint and
Unit Manager/Chief of Security/DesigneeRecommend: ☒ Resolution ☐ Recommend formal grievanceExplain: I/m does not want to be assigned to Captains Crew. Therefore, Pena is being removed from the Captains Crew.Staff Member: J.W. Beard, Jr. Sec. 1015 Date: 10-03-14
Print / SignAcknowledged by the signatures below, this informal complaint is: ☐ Resolved ☐ UnresolvedUnit Mgr/Chief of Security/Designee: J.W. Beard, Jr. Sec. 1015 Date: 10-03-14
Print / SignStaff Witness: Gomez Date: 10-3-14
Print / SignInmate: SOLOMON PENA. 70190 Date: 03 OCT 2014
Print / Sign

If this informal complaint could not be resolved, the inmate may pursue a formal grievance within 20 calendar days of the date of incident.

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LCCF

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OCT 10 2014
LCCF

ZDFZ. INFORMAL COMPLAINT

MY SKIN AND THEY GET INTO THE AREA BETWEEN MY FINGERNAIL AND SKIN.
THIS IS CAUSING ME PAIN AND SUFFERING.

I ASK TO BE ISSUED GLOVES THAT DO NOT TEAR WHEN I SCRUB
HARD. THANK YOU.

7/

SOLOMON PENA. 70190

3A 213. 2014 SEP 25.

NEW MEXICO CORRECTIONS DEPARTMENT

INMATE INFORMAL COMPLAINT

141014

Inmate Name: SOLOMON PENA NMCD#: 70190
Facility: LCCF HU/Cell #: 3A 213 Date of Incident: 2014 SEP 24
Name of subject or person to whom the complaint was filed against: WIZLEY AND HEREDIA.

Explain your complaint in detail: I'M GETTING MODERATELY DIRTY PERFORMING MY DUTIES.
I'M ON MY HANDS AND KNEES SCRUBBING THE DECK WITH STRIPPER. CD-150202.
F. 1 AND 2 IS CITED AS AUTHORITY TO GET ONE EXTRA SET OF BLUES. ALSO,
I REQUEST A MEMO THAT I CAN POST IN MY ROOM ON THE WALL STATING I CAN POSSESS

Inmate Signature: [Signature] Date: 2014 SEP 24 THE EXTRA SET.
THANK YOU.

Date Received: 10-03-14 Unit Manager/Chief of Security/Designee

I, J.W. Beard have reviewed the above informal complaint and
Unit Manager/Chief of Security/Designee
Recommend: ☒ Resolution ☐ Recommend formal grievance

Explain: Pena will no longer be assigned to
the Captain's Crew and therefore, not need an
additional uniform.

Staff Member: J.W. Beard, JWBear, AWS Date: 10-03-14
Print / Sign

Acknowledged by the signatures below, this informal complaint is: ☒ Resolved ☐ Unresolved
Unit Mgr/Chief of Security/Designee: J.W. Beard / JWBear, AWS Date: 10-03-14
Print / Sign
Staff Witness: [Signature] Date: 10-3-14
Print / Sign
Inmate: SOLOMON PENA [Signature] 70190 Date: 2014 OCT 03
Print / Sign

OCT 3 2014
WCB

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calendar days of the date of incident.

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WCB

NEW MEXICO CORRECTIONS DEPARTMENT

INMATE INFORMAL COMPLAINT

141013

Inmate Name: SOLOMON PENA NMCD#: 70190
 Facility: LCCF HU/Cell #: 3A 213 Date of Incident: 2014 SEP 24
 Name of subject or person to whom the complaint was filed against: WRIGLEY AND HEREDIA.

Explain your complaint in detail: CD-150202.F.1 IS CITED AS AUTHORITY TO GET ISSUED BOOTS FOR THE DUTIES I AM PERFORMING. I WORK ON MY HANDS AND KNEES WITH "STRIPPER." I NEED BOOTS. PLEASE ISSUE ME SIZE 7.5 BOOTS. IF I GET ANYTHING BUT 7.5 WE'RE GOING TO START THIS WHOLE PROCESS OVER.

Inmate Signature: JA Date: 2014 SEP 24.

.....
 Date Received: 10-03-14 Unit Manager/Chief of Security/Designee

I, J.W. Beard have reviewed the above informal complaint and
 Unit Manager/Chief of Security/Designee

Recommend: () Resolution () Recommend formal grievance

Explain: Pena is being removed from the Captains crew per his request. Therefore, he does not need boots

Staff Member: J.W. Beard J.W. Beard / JMS Date: 10-03-14
 Print / Sign

Acknowledged by the signatures below, this informal complaint is: ☒ Resolved ☐ Unresolved

Unit Mgr/Chief of Security/Designee: J.W. Beard / JMS Date: 10-03-14
 Print / Sign

Staff Witness: Gonz Date: 10-3-14
 Print / Sign

Inmate: SOLOMON PENA. 70190 JA Date: 2014 OCT 03
 Print / Sign

If this informal complaint could not be resolved, the inmate may pursue a formal grievance within 20 calendar days of the date of incident.

At time of resolution-the inmate must be given a copy of the completed copy of the Informal Complaint

Inmate must attach this document if the formal grievance is to be submitted.

RECEIVED

OCT 1 2014

LCCF

CD-150202.F.1 IS CITED AS AUTHORITY TO GET TO HAVE STUFF THAT FITS MY BODY PROPERLY.

2014 OCT 1 10:07 AM

NEW MEXICO CORRECTIONS DEPARTMENT

INMATE INFORMAL COMPLAINT# 141010Inmate Name: SOLOMON PENA NMCD#: 70190Facility: LCCF HU/Cell #: 3A 213 Date of Incident: 2014 SEP 23.Name of subject or person to whom the complaint was filed against: BALDONADO OR MALDONADO, DONT KNOW HIS EXACT NAME.Explain your complaint in detail: ON LISTED DATE AT APPROX 1530 HRS LISTED GEO EMPLOYEE ATTEMPTED TO GET ME TO SIGN A PIECE OF PAPER. I TOLD HIM I WAS NOT GOING TO SIGN IT. HE THEN MADE A, WHAT I CAN ONLY DESCRIBE AS A SOUND EFFECT OF DISAPPROVAL, AND WAVED HIS ARM AT ME IN AInmate Signature: [Signature] Date: 2014 SEP 23.Date Received: 10-3-14 Unit Manager/Chief of Security/DesigneeI, J.W. Beaud have reviewed the above informal complaint and
Unit Manager/Chief of Security/DesigneeRecommend: ☒ Resolution ☐ Recommend formal grievanceExplain: Jim Pena claimed Maldonado was sitting at a desk in the Caustic room while Pena just inside the gate of the Caustic room Maldonado through his hand up and motioned Pena to leave because Pena refused to sign a document. This was not a threat.Staff Member: J.W. Beaud, J. Beaud, NIS Date: 10-3-14
Print / SignAcknowledged by the signatures below, this informal complaint is: ☐ Resolved ☒ UnresolvedUnit Mgr/Chief of Security/Designee: J.W. Beaud, J. Beaud, NIS Date: 10-3-14
Print / SignStaff Witness: Corra Date: 10-3-14
Print / SignInmate: SOLOMON PENA 70190 Date: 2014 OCT 03
Print / SignIf this informal complaint could not be resolved, the inmate may pursue a formal grievance within 20 calendar days of the date of incident.At time of resolution-the inmate must be given a copy of the completed copy of the Informal ComplaintInmate must attach this document if the formal grievance is to be submitted.

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OCT 1 2014

LCCF

20PZ INFORMAL.

THREATENING AND SUPER-VIOLENT MANNER. I TOLD HIM TO NOT WAVE HIS ARM AT ME LIKE THAT AND THEN I WENT BACK TO MY POD.

IF I ~~GE~~ DID THAT TO HIM, AT THE MINIMUM I'D GET AN INMATE MISCONDUCT REPORT AND POSSIBLY SEGREGATION. IF I CAN'T DO IT TO HIM, HE CAN NOT DO IT TO ME.

AND, I DON'T FEEL SAFE AROUND HIM. I WANT TO BE REMOVED FROM THAT JOB. HE IS MY SUPERVISOR.

SA

SOLOMON PENA. 70190

3A 213. 2014SEP23

NEW MEXICO CORRECTIONS DEPARTMENT

INMATE INFORMAL COMPLAINT# 141015

Inmate Name: SOLOMON PENA NMCD#: 70190
 Facility: LCCF HU/Cell #: 3A 213 Date of Incident: 2014 SEP 24
 Name of subject or person to whom the complaint was filed against: WRIGLEY AND HEREDIA.

Explain your complaint in detail: I'M BEING FORCED TO PERFORM LABOR ON MY HANDS AND KNEES. I NEED KNEE PADS. I WAS JUST NOW SCRUBBING THE DECKS CONTINUOUSLY FOR OVER AN HOUR ON MY HANDS AND KNEES. MY KNEES ARE IN PAIN. CD-150202, F.I. STATES: "THE FACILITY SHALL PROVIDE FOR THE

Inmate Signature: JA Date: 2014 SEP 24.

.....
 Date Received: 10-03-14 Unit Manager/Chief of Security/Designee

I, J.W. Beards have reviewed the above informal complaint and
 Unit Manager/Chief of Security/Designee
 Recommend: ☒ Resolution ☐ Recommend formal grievance

Explain: Pena is no longer assigned to the Captains crew and therefore, has no need for knee pads to perform duties.

Staff Member: J.W. Beards, AUS Date: _____
 Print / Sign

Acknowledged by the signatures below, this informal complaint is: ☐ Resolved ☒ Unresolved

Unit Mgr/Chief of Security/Designee: J.W. Beards, AUS Date: 10-05-14
 Print / Sign

Staff Witness: / Date: _____

Inmate: SOLOMON PENA JA 70190 Date: 2014 OCT 03
 Print / Sign

If this informal complaint could not be resolved, the inmate may pursue a formal grievance within 20 calendar days of the date of incident.

At time of resolution-the inmate must be given a copy of the completed copy of the Informal Complaint

Inmate must attach this document if the formal grievance is to be submitted.

RECEIVED
 OCT 3 2014
 LOCK

RECEIVED

001

LCCF

INFORMAL 2 OF 2.

ISSUE OF SPECIAL AND, WHEN APPROPRIATE, PROTECTIVE CLOTHING AND EQUIPM-
ENT TO INMATES ASSIGNED TO . . . SPECIAL WORK DETAILS. "

I NEED KNEE PADS. THANK YOU.

91

SOLOMON PENA. 70190

BA 213. 2014 SEP 24.

RECEIVED
UNITED STATES DISTRICT COURT
LAS CRUCES, NEW MEXICO

APR 10 2015

MATTHEW J. DYKMAN
CLERK

TO: US DISTRICT COURT
OFFICE OF THE CLERK - SUITE # UNKNOWN
ATTN: 1:15-CV-00230
100 NORTH CHURCH STREET
LAS CRUCES, N.M. 88001

~~Solomon Pena, 70190~~
~~H3H213~~

